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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 UNITED STATES OF AMERICA,

CASE NO. CR F 03-5410 LJO

12 Plaintiff,

**ORDER ON DEFENDANT'S EX PARTE
REQUESTS FILED DECEMBER 26, 2007**

13 vs.

14 VICTOR VEVEA,

15 Defendant.
16 _____/

17 Defendant Victor Vevea ("defendant") filed nearly 400 pages of material with his most recent
18 papers filed fewer than four weeks prior to the January 22, 2008 court trial for a petty offense. The
19 papers include a request to issue 73 duces tecum trial subpoenas and assert incorrectly that motions are
20 pending before this Court. (There are no motions that this Court has not ruled upon at least once.)
21 There are motions for reconsideration that neither meet the statutory basis for filing nor address issues
22 raised by this Court when initially ruled upon.

23 Defendant's current concern about the Speedy Trial Act is devoid of necessary information to
24 permit this Court to rule. This Court declines defendant's invitation for this Court to research the issue.

25 Defendant incorrectly asserts there are "pending" motions. There are no motions upon which
26 this Court has ruled upon at least once. Simply because a party disagrees with a ruling does not render
27 the motion pending.

28 The continuing issue of defendant's ability to view discovery has been ruled upon numerous

1 times. This Court views defendant's continued attempt to raise the issue as game playing.

2 As to retaining counsel, defendant is well aware that:

- 3 1. This Court found that defendant has excessive assets to preclude this Court from
4 providing counsel free of charge;
- 5 2. Prior to this Court's requiring asset information, this Court appointed two different
6 defense counsel (Mark Ament and Gary Huss);
- 7 3. Both prior defense counsel had more than 55 years of criminal defense experience and
8 made formal motions to be relieved from further representation of defendant. Both
9 counsel clearly indicated that they could neither communicate with nor please defendant
10 to render impossible to continue an attorney-client relationship; and
- 11 4. Defendant has extensive legal experience himself.

12 This Court has attempted to focus defendant to follow procedure, to obtain private counsel, if
13 desired, to view evidence at the Government's repeated invitation, and to stop filing time-consuming,
14 spurious motions. The attempts have failed. As such, this Court ORDERS that:

- 15 1. The court trial on the petty offense charged will proceed as scheduled on January 22,
16 2008;
- 17 2. No further pretrial motions will be entertained by this Court;
- 18 3. At trial, each side (defendant and the Government) will have seven hours to present
19 his/its respective case. The seven per side hours (14 combined hours) will include all
20 aspects of the case, including opening statements, closing arguments and cross-
21 examination; and
- 22 4. This Court will not entertain exhibits that are not pinpointed in scope to a page and line
23 during the taking of evidence. Filing hundreds of pages of exhibits, as defendant did on
24 December 26, 2007, is abusive to the Court system and will not be tolerated.

25 IT IS SO ORDERED.

26 **Dated: December 28, 2007**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE